

Docket: 3816.10
April 7, 2005 (1:46pm)

Remarks

Claims 1-12, 17-19 21-23, 27-31 remain in the application.

The Examiner has imposed a third restriction requirement between:

Group I – claims 17, 18, 21, 22, 30, and 31 drawn to a semiconductor device,
classified in class 257/326; and

Group II – claims 1-12 and 27-29, drawn to a process of making a semiconductor
device, classified in class 438/279.

The method claims of Group II are elected with traverse.

The Examiner has changed the proposed classification of the two invention from the last restriction requirement. The classifications are not correct. Class 257/326 is directed to an active solid state device having additional control electrode. The invention does not claim active semiconductor devices or control electrodes but a structure made out of two silicon parts joined together. Class 438/279 is directed to a method of making plural insulated gate FETs in field effect devices. The invention does not claim transistors or a method of making them. It claims bulk silicon structures, particularly usable as support towers.

The Examiner states the restriction is justified by the fact that the claimed product may be made by a process materially different than the claimed process. It is pointed out that method claim 1 requires plasma spraying silicon and product claims 17 and 21 requires plasma sprayed silicon. The material difference is not evident. The Examiner states that welding could be used to form the claimed product. This statement is inconsistent with the requirement in the product claims that the layer be plasma sprayed silicon. The Examiner's argument fails and the restriction requirement should be removed and all claims be examined.

The dependency of claim 19 has been corrected.

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In view of the above amendments and remarks, consideration and allowance of all claims are respectfully requested. If the Examiner believes that a telephone interview would be helpful, he is invited to contact the undersigned attorney at the listed telephone number, which is on California time.

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Respectfully submitted,

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